

Live Database
U.S. District Court - Eastern District of Tennessee (Chattanooga)
CRIMINAL DOCKET FOR CASE #: 1:20-mj-00097-CHS-1 *SEALED*

Case title: USA v. SEALED

Date Filed: 08/11/2020

Date Terminated: 08/12/2020

Assigned to: Magistrate Judge Christopher H
Steger

Defendant (1)**Damien Williams***TERMINATED: 08/12/2020*represented by **Myrlene R Marsa**Federal Defender Services of Eastern
Tennessee, Inc. (Chatt)

One Central Plaza, Suite 600

835 Georgia Avenue

Chattanooga, TN 37402

423-756-4349

Fax: 423-756-4345

Email: myrlene_marsa@fd.org

LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: Public Defender or Community
Defender Appointment***Pending Counts**

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

None

Disposition**Plaintiff****USA**represented by **Jay Woods**U S Department of Justice (Chattanooga
USAO)

Office of U S Attorney

1110 Market Street
Suite 515
Chattanooga, TN 37402
423-385-1344
Fax: 423-752-5150
Email: jay.woods@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: United States Attorney

Date Filed	#	Docket Text
08/13/2020	<u>7</u>	MEMORANDUM AND ORDER, COMMITMENT TO ANOTHER DISTRICT as to Damien Williams. Defendant committed to District of Northern District of Texas. Signed by Magistrate Judge Christopher H Steger on August 13, 2020. (SAC) Clerk as serviced copies of this Order to Williams counsel, US Attorney Woods, US Marshals, US Probation Officer and Northern District of Texas. (Entered: 08/13/2020)
08/13/2020	<u>6</u>	ORDER Approving Consent to Appear by Video Conference by Damien Williams. Signed by Magistrate Judge Christopher H Steger on 8/12/20. (CNC) (Entered: 08/13/2020)
08/12/2020	<u>5</u>	Minute Entry for proceedings held before Magistrate Judge Christopher H Steger: Initial Appearance in Rule 5(c)(3) Proceedings as to Damien Williams held on 8/12/2020. (Digital Recording, Courtroom 1B) (SAC) (Entered: 08/12/2020)
08/12/2020	<u>4</u>	WAIVER of Rule 5(c)(3) Hearing by Damien Williams. (SAC) (Entered: 08/12/2020)
08/12/2020	<u>3</u>	CJA 23 Financial Affidavit as to Damien Williams. (SAC) (Entered: 08/12/2020)
08/12/2020	<u>2</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Damien Williams. Myrlene R Marsa for Damien Williams appointed. Signed by Magistrate Judge Christopher H Steger on August 12, 2020. (SAC) (Entered: 08/12/2020)
08/11/2020	<u>1</u>	Rule 5(c)(3) Documents Received as to Damien Williams. (KFB) (Entered: 08/11/2020)
08/11/2020		CASE SEALED as to Damien Williams (KFB) (Entered: 08/11/2020)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA

v.

Case No.: 1:20-mj-00097-CHS *SEALED*

DAMIEN WILLIAMS

ORDER

The Court finds that defendant Damien Williams does not have the funds to retain an attorney of defendant's choice and that defendant wants to be represented by counsel. As a condition of the appointment of counsel to represent defendant, the Court reserves the right to require the defendant to repay the government the reasonable value of the services rendered to defendant by the appointed counsel and any expenses in connection therewith. Accordingly, it is ORDERED the following counsel be appointed to represent defendant:

Federal Defender Services of Eastern Tennessee, Inc.
One Central Plaza, Suite 600
835 Georgia Avenue
Chattanooga, Tennessee 37402

Telephone: 423/756-4349
Fax: 423/756-4345

ENTER.

s/Christopher H Steger

UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
Eastern District of Tennessee

United States of America

v.

DAMIEN WILLIAMS

Defendant

Case No. 1:20-mj-97

Charging District's Case No. ND of TX

**WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)**

I understand that I have been charged in another district, the *(name of other court)* Northern District of Texas .

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 08/12/2020

/s/ Damien Williams with consent by MRM
Defendant's signature

/s/ Myrlene R. Marsa
Signature of defendant's attorney

Myrlene R. Marsa
Printed name of defendant's attorney

☒ Initial Appearance ☒ Complaint ☐ Preliminary Exam ☐ Motion Hearing
☐ Indictment ☐ SSI ☐ Information ☐ Detention Hearing ☐ Bond Hearing
☐ Petition for Probation/Supervised Release action ☐ Arraignment ☐ Arraignment on SSI

Case No. 1:20-mj-97 USA v. Damien Williams

PRESENT: Honorable Christopher H. Steger ☐ U.S. District Judge OR ☒ U.S. Magistrate Judge

Jay Woods Myrlene Marsa
Assistant U.S. Attorney Attorney for Defendant
☒ Appt. ☐ Retd. ☐ Ltd. App. Probation Officer

Stefanie Capetz
Courtroom Deputy Court Reporter Interpreter(s) ☐ **SWORN**

Digital Recording: Crtrm 1B ☒ OR Crtrm 4 ☐

PROCEEDINGS: ☒ DEFENDANT(S) SWORN **DATES SET:**

<input type="checkbox"/> Financial affidavit(s) executed	Detention hearing: _____
<input type="checkbox"/> Court appointed attorney(s) under CJA	Preliminary exam: _____
<input type="checkbox"/> Court may require deft(s) repay govt cost of atty(s)	Revocation hearing: _____
<input type="checkbox"/> Defendant(s) waived appointment of attorney(s)	Arraignment: _____
<input checked="" type="checkbox"/> Defendant(s) specifically advised of rights	OTHER: _____
<input type="checkbox"/> Deft advised of Rules 20, 5 FRCrP	
<input checked="" type="checkbox"/> Deft executed waiver of Rule 5, 5.1 hearing	
<input type="checkbox"/> Deft waived reading of indictment/information	
<input type="checkbox"/> Indictment/Information read	
<input type="checkbox"/> Deft pleads not guilty to counts _____	
<input type="checkbox"/> Not guilty plea entered by Court on deft's behalf	
<input type="checkbox"/> Deft. entered no plea	

Court ordered file ☐ sealed OR ☐ unsealed

TESTIMONY BY: _____

OTHER MATTERS:

I, Stefanie Capetz, Deputy Clerk, CERTIFY the official record of this proceeding is an audio file. 1:20-mj-97_20200812_161726

BOND

☐ Govt. motion for detention without bond: ☐ granted ☐ denied
☐ Court ordered deft released on bond (see order setting conditions of release)

Amount: _____ Type: _____

Defendant ineligible for release on bond: _____

Deft ☐ remanded to custody of U.S. Marshal ☒ remained in custody ☐ remained on bond ☐ released on bond

Time: 4:33 to 4:50

Date: August 12, 2020

rev 3/09

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

United States of America

v.

Damien Williams

Defendant

)
)
)
)
)

Case No: 1:20-MJ-97

CONSENT TO APPEAR BY VIDEO OR AUDIO TELECONFERENCE

Pursuant to The CARES Act, H.R. 748, the Court's Standing Order 20-08, and Rule 5(f), Rule 10(c), and Rule 43(c)(1)(B) of the Federal Rules of Criminal Procedure, the Defendant hereby acknowledges Defendant has received and/or been read the indictment, information, or petition, that such charging instrument has been reviewed by Defendant with counsel, that Defendant understands the nature of the offenses charged, and that Defendant understands Defendant's right to appear in person for the initial appearance and arraignment. Acknowledging such, the Defendant hereby knowingly and voluntarily waives Defendant's right to appear in person and hereby consents to appearance by use of video teleconferencing, or by audio teleconferencing if video teleconferencing is not reasonably available, for the following:

- ☐ Detention hearings under 18 U.S.C. § 3142
- ☒ Initial appearances under Rule 5 of the Federal Rules of Criminal Procedure
- ☐ Preliminary hearing under Rule 5.1 of the Federal Rules of Criminal Procedure
- ☐ Waivers of indictment Rule 7(b) of the Federal Rules of Criminal Procedure
- ☐ Arraignments under Rule 10 of the Federal Rules of Criminal Procedure
- ☐ Probation and supervised release revocation proceedings under Rule 32.1 of the Federal Rules of Criminal Procedure
- ☐ Pretrial release revocation proceedings under 18 U.S.C. § 3148
- ☐ Appearances under Rule 40 of the Federal Rules of Procedure

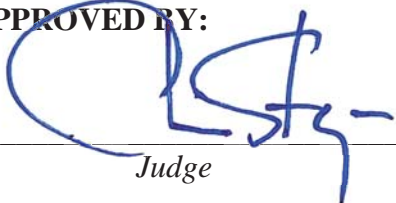
- ☐ Misdemeanor pleas and sentencings as described in Rule 43(b)(2) of the Federal Rules of Criminal Procedure
- ☐ Proceedings under chapter 403 of title 18, United States Code (commonly known as the “Federal Juvenile Delinquency Act”), except for contested transfer hearings and juvenile delinquency adjudication or trial proceedings.
- ☐ Felony pleas under Rule 11 of the Federal Rules of Criminal Procedure and felony sentencings under Rule 32 of the Federal Rules of Criminal Procedure upon a finding by the presiding district judge that the plea or sentencing cannot be further delayed without serious harm to the interests of justice.

/s/ Damian Williams w/consent by MRI
Defendant¹

/s/ Myrlene R. Marsa
Defendant's Attorney

August 12, 2020
Date

APPROVED BY:


Judge

08/12/2020
Date

¹ Due to the COVID-19 pandemic, conformed signatures by permission will be accepted. If signed by permission, defense counsel represents that defendant gave express permission to apply his/her signature.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	Case No. 1:20-mj-00097
)	
v.)	Charging Dist. Case. No. 3:20-MJ-00821-BT
)	
DAMIEN WILLIAMS)	U.S. Mag. Judge Christopher H. Steger

MEMORANDUM AND ORDER

Defendant DAMIEN WILLIAMS (“Defendant”) came before the Court on August 12, 2020, in accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure, for an initial appearance on a Criminal Complaint out of the United States District Court for the Northern District of Texas.

After being sworn in due form of law, Defendant was informed or reminded of his privilege against self-incrimination under the 5th Amendment and his right to counsel under the 6th Amendment to the United States Constitution.

The Court determined that Defendant wished to be represented by an attorney and that he qualified for the appointment of an attorney to represent him at Government expense. Consequently, the Court **APPOINTED** Myrlene Marsa of Federal Defender Services of Eastern Tennessee, Inc., to represent Defendant with respect to further proceedings in this case in the Eastern District of Tennessee.

Defendant was furnished with a copy of the Criminal Complaint and had an opportunity to review that document with his attorney. The Court determined that Defendant was capable of being able to read and understand the Criminal Complaint. At the Court’s request, AUSA Jay Woods explained to Defendant the offenses detailed in the Criminal Complaint. Defendant acknowledged that he understood the offenses with which he is charged in the Criminal Complaint.

The Court explained to Defendant that his right to an identity hearing to determine whether he is the person named in the Criminal Complaint; a right to production of the warrant (or a certified copy or electronic copy); a preliminary hearing; and a detention hearing. The Court further explained to Defendant that his right to transfer these proceedings to the charging district, which, in this case, is the United States District Court for the Northern District of Texas.

Following consultation with his counsel, Defendant agreed to waive an identity hearing, production of the warrant, a preliminary hearing, and a detention hearing, and to request transfer of those proceedings to the United States District Court for the Northern District of Texas. The Court confirmed that Defendant would be entitled to such proceedings in the charging district at a

date and time set by that Court.

It is, therefore, **ORDERED** that:

1. The Government's motion that Defendant be **DETAINED WITHOUT BOND** pending further proceedings in the United States District Court for the Northern District of Texas is **GRANTED**.
2. The U.S. Marshal shall transport Defendant to the United States District Court for the Northern District of Texas.
3. The Clerk of Court for the Eastern District of Tennessee shall promptly transmit all documents relating to this case to the Clerk of Court for the United States District Court for the Northern District of Texas.
4. The Clerk of Court for the United States District Court for the Northern District of Texas, shall immediately notify the United States Attorney for such district of Defendant's arrival so that further proceedings may be promptly scheduled.

ENTER.

/s/Christopher H. Steger
UNITED STATES MAGISTRATE JUDGE